

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 10-20261-BC
Honorable Thomas L. Ludington

BENITO CASTILLO-PARTIDA,

Defendant.

**ORDER ADOPTING REPORT AND RECOMMENDATION, ACCEPTING
DEFENDANT'S PLEA OF GUILTY AS TO COUNT ONE OF THE INDICTMENT, AND
TAKING THE RULE 11 PLEA AGREEMENT UNDER ADVISEMENT**

A plea hearing was conducted on July 14, 2010, by United States Magistrate Judge Charles E. Binder pursuant to the defendant's consent. The magistrate judge issued his report on July 14, 2010, recommending that this Court accept the defendant's plea of guilty to count one of the indictment. As of today's date, no party has filed any objections to the magistrate judge's report and recommendation. The election to not file objections to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation [Dkt. # 17] is **ADOPTED**.

It is further **ORDERED** that the defendant's plea of guilty as to count one of the indictment is **ACCEPTED**, and the Rule 11 Plea Agreement [Dkt. # 18] is taken **UNDER ADVISEMENT**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: August 20, 2010

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on August 20, 2010.

s/Tracy A. Jacobs
TRACY A. JACOBS